



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***NOVEMBER 4, 2002
12:15 P.M.***

CITY COUNCIL CHAMBER

AGENDA FOR THE COUNCIL

1. Call to Order--Roll Call.

A communication from Mayor Ralph K. Smith requesting that Council convene in a Closed Meeting to discuss vacancies on various authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended.

(Approved 5-0, Mayor Smith and Council Member Cutler were out of the Council Chamber when the vote was recorded.)

File #110-132

A communication from the City Attorney requesting that Council convene in a Closed Meeting to consult with legal counsel on a matter of pending litigation, pursuant to Section 2.2-3711 (A)(7), Code of Virginia (1950), as amended.

(Approved 5-0, Mayor Smith and Council Member Cutler were out of the Council Chamber when the vote was recorded.)

File #83-132

THE COUNCIL MEETING WAS DECLARED IN RECESS TO BE IMMEDIATELY RECONVENED IN THE EMERGENCY OPERATIONS CENTER CONFERENCE ROOM, ROOM 159, FOR A BRIEFING ON TECHNOLOGY.

AT 1:25 P.M., THE MEETING WAS DECLARED IN RECESS TO BE RECONVENED IN CLOSED SESSION.

CERTIFICATION OF CLOSED SESSION. (7-0)

The following persons were reappointed/appointed to certain Council-Appointed Committees:

**Personnel and Employment
Practices Commission
File #15-110-202**

**Alma L. Lee for a term
ending June 30, 2005.**

**Roanoke Civic Center Commission
File #15-110-192**

**Monica S. Prince for a
term ending September
30, 2005.**

**Youth Services Citizen Board
File #15-110-304**

**Amy R. Barger to fill the
unexpired term of
Jonathan Katz, ending
May 31, 2004; Marissa
Bannister to fill the
unexpired term of John
Lewis, ending May 31
2003; and Ashley
Johnson, to fill the
unexpired term of
Duriel M. Wood, ending
May 31, 2003.**

**City of Roanoke Transportation
Safety Commission
File #15-20-110-316**

**John W. Brown, Jr.,
Kenneth King and
Rick Clark, for
terms ending October 31,
2006.**

**Fair Housing Board
File #15-110-178**

**Tuan Reynolds to fill
the unexpired term of
Robert J. Sparrow,
ending March 31, 2003.**

**AT 1:55 P.M., THE MEETING WAS DECLARED IN RECESS TO BE
RECONVENED AT 2:00 P.M. IN THE COUNCIL CHAMBER, NOEL
C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W.,
CITY OF ROANOKE.**



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***NOVEMBER 4, 2002
2:00 P.M.***

CITY COUNCIL CHAMBER

AGENDA FOR THE COUNCIL

1. Call to Order--Roll Call.

The Invocation was delivered by The Reverend Maurita J. Wiggins, Pastor, Valley Community Church.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Ralph K. Smith.

Welcome. Mayor Smith.

NOTICE:

Meetings of Roanoke City Council are televised live on RVTV Channel 3. Today's meeting will be replayed on Channel 3 on Thursday, November 7, 2002, at 7:00 p.m., and Saturday, November 9, 2002, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

ANNOUNCEMENTS:

THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE THURSDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.

THE CITY CLERK'S OFFICE NOW PROVIDES THE MAJORITY OF THE CITY COUNCIL AGENDA ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT WWW.ROANOKEGOV.COM, CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.

ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.

ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541, OR ACCESS THE CITY'S HOMEPAGE AT WWW.ROANOKEGOV.COM, TO OBTAIN AN APPLICATION.

2. PRESENTATIONS AND ACKNOWLEDGMENTS:

Shining Star Awards were presented to the following persons:

**Mr. Thomas Brock, Jr.
Ms. Lillie M. Bryant
Ms. Barbara N. Duerk
Mrs. A. C. Johnson
Mr. Edward B. Walker**

File #80

Proclamation declaring Friday, November 15, 2002, as America Recycles Day.

File #3-282

3. CONSENT AGENDA

(APPROVED 7-0)

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

- C-1 Minutes of the regular meeting of Council held on Monday, September 16, 2002, and recessed until Wednesday, September 18, 2002.

RECOMMENDED ACTION: Dispense with the reading thereof and approve as recorded.

- C-2 Minutes of the City of Roanoke Audit Committee held on Tuesday, October 15, 2002.

RECOMMENDED ACTION: Receive and file.

File #300

- C-3 A communication from the Honorable Clifford R. Weckstein, Judge, Twenty-Third Judicial Circuit of Virginia, transmitting the 2002 Report of the Board of Equalization.

RECOMMENDED ACTION: Receive and file.
File #79

- C-4 Qualification of the following persons:

Stark H. Jones as a Director of the Industrial Development Authority of the City of Roanoke, for a term ending October 20, 2006;

Betty Branch as a member of the Roanoke Arts Commission, for a term ending June 30, 2005; and

Robert B. Manetta as a member of the Architectural Review Board, for a term ending October 1, 2006.

RECOMMENDED ACTION: Receive and file.
File #15-110-209-230-249

REGULAR AGENDA

4. PUBLIC HEARINGS: NONE.

5. PETITIONS AND COMMUNICATIONS: NONE.

6. REPORTS OF OFFICERS:

- a. CITY MANAGER:

BRIEFINGS: NONE.

ITEMS RECOMMENDED FOR ACTION:

1. A communication recommending acceptance of certain property rights for the Florida Avenue Drainage Project.

Adopted Ordinance No. 36112-110402. (7-0.)

File #2-27

2. A communication recommending acceptance of the proposal submitted by Tectonic Engineering Consultants, P. C., for development of a vulnerability assessment, emergency response/operating plan, security enhancement and design, or a combination of items listed for the City's water system, in the amount of \$89,500.00.

Adopted Resolution No. 36113-110402. (7-0.)

File #405-468

3. A communication recommending authorization to execute Amendment No. 3 to the 2000-01 Community Development Block Grant Funding Administration Agreement with the Roanoke Redevelopment and Housing Authority, to provide funds for continuation of infrastructure improvements associated with the Lincoln 2000/HOPE VI Community Revitalization Program Project; and appropriation of funds.

Adopted Budget Ordinance No. 36114-110402 and Resolution No. 36115-110402. (7-0.)

File #60-178-200-236

4. A communication recommending execution of a grant agreement with the Virginia Department of Motor Vehicles for a Driver/Occupant Awareness Grant, in the amount of \$15,000.00; and appropriation of funds.

Adopted Budget Ordinance No. 36116-110402 and Resolution No. 36117-110402. (7-0.)

File #5-20-60-236

5. A communication recommending amendment to the Weed Abatement Ordinance.

Adopted Ordinance No. 36118-110402. (7-0.)
File #24-67-447

6. A communication recommending rejection of all proposals received in connection with the operational management of the historic City Market Building.

Adopted Resolution No. 36119-110402. (7-0.)
File #42

7. A communication recommending acceptance of the proposal submitted by Southern Software, Inc., in connection with mobile incident based reporting for police applications, in the amount of \$83,595.00.

Adopted Resolution No. 36120-110402. (7-0.)
File #5-301

8. A communication recommending execution of a contract with Printrak International to upgrade the City's Computer Aided Dispatch Application System, in the amount of \$129,966.00.

Adopted Resolution No. 36121-110402. (7-0.)
File #5-70-301

9. An oral request of the City Manager for a Closed Session to discuss a matter with regard to acquisition of property where discussion in open session would adversely affect the bargaining position of the City of Roanoke, pursuant to Section 2.2-3711 (A)(3), Code of Virginia, (1950) as amended.

Concurred in request.
File #2-104-132

- b. DIRECTOR OF FINANCE:
 - 1. Financial report for the month of September 2002.
Received and filed.
File #10

7. REPORTS OF COMMITTEES:

- a. A communication from Samuel F. Vance, IV, Attorney, representing the Industrial Development Authority of the City of Roanoke, requesting adoption of a measure approving issuance of bonds by the Industrial Development Authority for the benefit of Virginia Lutheran Homes, Inc.

Adopted Resolution No. 36122-110402. (7-0.)
File #53-207

8. UNFINISHED BUSINESS:

- a. An ordinance to provide standards for a new dwelling, new accessory building or expansion of an existing dwelling in the ND district; establishing the depth of front yards; and to provide parking in the ND District.

Adopted Ordinance No. 36123-110402. (5-2, Council Member Wyatt and Mayor Smith voted no.)
File #24-51

- b. An ordinance zoning properties located within the Melrose-Rugby neighborhood, generally bounded by Interstate 581, Lick Run and Andrews Road on the north, Melrose and Orange Avenues on the south, Tenth Street on the east, and Lafayette Boulevard on the west, as ND, Neighborhood Design District overlay.

Adopted Ordinance No. 36124-110402. (7-0.)
File #51

9. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS: NONE.

10. MOTIONS AND MISCELLANEOUS BUSINESS:

- a. Inquiries and/or comments by the Mayor, Vice-Mayor and Members of City Council.

Council voted to adopt the position of the Virginia First Cities Coalition that reductions in State aid will be passed on to the affected agencies. Affected government agencies will be notified that they will have to reduce their budgets to offset revenue reductions. City departments and agencies to be affected include the Commissioner of the Revenue, Commonwealth's Attorney, Treasurer, Library, and Social Services.

File #34-60-72-106-133-323-550

Council Member Bestpitch suggested that four parking spaces designated for City Council parking in the Second Street parking lot be made available for handicapped and disabled parking, on a temporary basis, during the time that the Municipal Building roof replacement project is underway.

File #20-132-353

Council Member Bestpitch referred to a communication from the Honorable Clifford R. Weckstein, Judge, Twenty-Third Judicial Circuit of Virginia, transmitting the 2002 Report of the Board of Equalization dated October 29, 2002, with regard to terms of office of the Board of Equalization. He requested that the matter be referred to the City Attorney for report to Council.

File #79

Council Member Dowe encouraged citizens to support the NBA and the Roanoke Dazzle basketball team.

File #192-388

Council Member Wyatt encouraged citizens to support the Roanoke Express hockey team.
File #388

Council Member Carder advised that the City of Roanoke will host the 2003 Annual Conference of the Virginia Municipal League in October 2003.
File #17

The Mayor clarified his remarks in recent newspaper articles in regard to the NBDL and apologized for any comments that might have been perceived as criticism.
File #192-227

The Mayor called attention to a recent announcement by U.S. Air and Colgan Airlines in connection with a \$175.00 round trip fare from Roanoke to New York.
File #9

- b. Vacancies on various authorities, boards, commissions and committees appointed by Council.

11. HEARING OF CITIZENS UPON PUBLIC MATTERS:

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

Mr. Robert Gravely, 617 Hanover Avenue, N. W., expressed concern that housing standards in the City of Roanoke are set so high that the average citizen cannot afford to purchase a house; the low pay scale for City employees; living conditions for elderly persons on a fixed income; and the quality of infrastructure improvements in downtown Roanoke, while the remainder of the City's infrastructure is in poor condition.
File #66-178-184-277

**Glenn Bowe, representing Layman Candy Co., requested that Council consider reinstatement of the dealer's discount on the cigarette tax.
File #79**

**Ms. Angela Norman, 1731 Michael Street, N. W., appeared before Council as a citizen and a taxpayer, and requested a higher level of accountability of tax dollars by the City administration. She reiterated past concerns of discrimination within City government, and expressed further concern that discrimination is targeted at senior in age and senior in service employees. She suggested that Council revisit its "hands off" policy in regard to day-to-day operations of the City administration, or more closely monitor internal expenditures.
File#66-175-184**

**Mr. E. Duane Howard, 508 Walnut Avenue, S. W., commended Council Member Bestpitch on his suggestion to use four City Council parking spaces in the Second Street parking lot, on a temporary basis, for handicapped and disabled parking; however, he suggested that the arrangement be made permanent for better and more convenient parking accommodations for the handicapped and disabled. Given today's difficult financial times, he suggested that the City give consideration to eliminating the program of loose leaf collection and require citizens to bag leaves for City pick up. He expressed concern with regard to any decrease in the budget of the Police Department, and suggested that the horse mounted patrol unit be eliminated and assign officers to bicycle safety patrol.
File #5-20-144-353-553**

12. CITY MANAGER COMMENTS: NONE.

The Mayor declared the meeting in recess for one Closed Session.

CERTIFICATION OF CLOSED SESSION. (7-0)

AT 4:50 P.M., THE COUNCIL MEETING WAS DECLARED IN RECESS TO BE RECONVENED ON THURSDAY, NOVEMBER 7, 2002, AT 8:30 A.M., FOR A TOUR OF THE ROANOKE REGIONAL FIRING RANGE SHOOT HOUSE, LOCATED AT INTERSTATE 581 SOUTH, EXIT 132, OFF TWINE HOLLOW ROAD.